

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 09-68 (1) (RHK/AJB)

Plaintiff,

ORDER

vs.

Anthony Akeum Abari,

Defendant.

Based upon the undersigned's de novo review of the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated November 19, 2009, the Objections thereto, the October 27, 2009 Motion hearing before Judge Boylan, and all the files and records herein, **IT IS ORDERED:**

1. Defendant's Objections (Doc. No. 52) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 47) is **ADOPTED**;
3. Defendant's Motion to Suppress Statements (Doc. No. 18) is **DENIED**;
4. Defendant's Motion to Suppress Fruits of Unlawful Arrest and Search and Seizure (Doc. No. 19) is **DENIED**; and
5. Defendant's Motion to Suppress Fruits of Unlawful Search seeking suppression of DNA evidence (Doc. No. 39) is **DENIED**.

Dated: December 8, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge